

# Exhibit 19

**In the Matter of Gregory Royal**

**Case Number: 14-56-22**

**Agency: United States Patent and Trademark Office**

**STATEMENT OF WEI (VICTOR) CHAN**  
**WITNESS**

On August 19, 2014, I was interviewed by the designated EEO Investigator, Lisa A. Kleine. Ms. Kleine explained to me that she was investigating allegations made by the Complainant that he was discriminated against in the form of a hostile work environment on the bases of sex (male) and race (African American/Black) since:

1. *On or about December 13, 2013, Complainant alleges his complaints of hostile work environment were not taken seriously because he is a "six foot, medium built black man" and the alleged harasser is a white woman;*
2. *On or about November 07, 2013, he was physically assaulted by a white female co-worker;*
3. *On or about December 13, 2013 and continuing Complainant alleges that his harasser as been allowed to continue to violate USPTO policies on workplace safety and conduct by bringing several knives to the workplace and threatening Complainant.*
4. *On or about July 10, 2014, he alleges he was physically assaulted in the workplace by another Agency employee whereby other examiners see him as a "punching bag" to be slapped, and nothing will happen to them for doing so.*
5. *On or about August 14, 2014, during the Patent Examiner Efficiency Exam (Exam), Complainant he was further subjected to a hostile work environment because the Agency failed to take sufficient action<sup>2</sup> to prevent him from being subject to a hostile work environment when:*
  - a. *the Alleged Harasser was to be allowed to take the Exam in the same room and the same time as Complainant was, despite the fact that she was moved to a different "Lab" than he was on or about December 13, 2013;*
  - b. *the Alleged Harasser failed to follow the Exam Proctor's instructions to remain silent by approaching the cubicle in front of the one where Complainant was seated and began a "loud conversation" with another employee, and she "did so solely to annoy [sic] Complainant's focus" and "under the cloak of being social," the Alleged Harasser sought to disturb Complainant's focus for the Exam; and*
  - c. *When the Exam Proctor spelled the name of an employee Complainant believes to be "Islamic" due to his name being "Mohammed," another employee was allowed to mock, not for the first time, those of the Islamic faith.*

I was advised by Ms. Kleine of my rights as a witness/party in an EEO case, and was informed that my statement would and may be reviewed by the agency, the Office of Equal Employment Opportunity and Diversity and other interested parties, in the context of this claim. I have also been advised that there is no assurance of confidentiality as to the testimony given herein. I was also advised that I had the right to have a representative assist me in these proceedings, but chose not to.

The following represents a true and accurate summary/statement of the information that I provided to Ms. Kleine.

1. Please state your full name and identify your sex and race.

Wei Chan (Victor, nick name). Race: Asian. Sex: Male.

2. Please indicate your current position, your grade and step, the name of your current supervisor, the length of time you have been in your current position, your Art Unit and Technology Center.

I am a Patent Examiner, GS-9 Step 7. My supervisor is Douglas Owens and I am in Art Unit 2844, Technology Center 2800. We cover LED light bulbs and circuits, transformers and resisters. I have been a patent examiner since September 9, 2013.

3. Please describe your duties and responsibilities in your current position.

Applicants file cases with new inventions. I examine the applications based on the merits, and compare the application to what is already out there, and make a decision as to whether the invention is patentable.

4. Do you know the Complainant in this matter Gregory Royal, and if so, explain how you know him.

Yes. I was in lab 12 at the Patent Training Academy and he was in lab 11. I met him when we started at the Academy.

5. Did you know him before coming to the Academy?

No.

6. Do you know the Complainant's race? How do you know his race?

I believe he is African American.

7. Do you know Complainant's sex, and if so, how do you know his sex?

He is male, based on observation.

8. Complainant Gregory Royal has complained about an incident that occurred in a lecture hall in the Madison West building on July 10, 2014. Did you attend the lecture given by Mr. Lyle Alexander on that day?

Yes.

9. Mr. Royal has alleged that on July 10, 2014, you struck him on the back of the head or neck as you walked by after entering the lecture hall. Please describe what happened on July 10, 2014.

I have known Mr. Royal since September 2013. We took classes together. We talked; we had different conversation about work and other topics. He had an issue with Ms. Violeta; a conflict with her. He talked with me about that. We were all friends after we moved out of lab. I thought we were friends. When I came into the lecture hall on July 10, I saw he was talking to someone. So to get his attention I lightly tapped on his neck to say hi as I walked by.

He is saying that I brutally and forcefully smacked him later.

After the lecture, he came to my chair and cursed at me. He would fuck me up if I ever touched him again. I was frightened of him. He was threatening me. There was Examiner Johnson Benjamin there who heard what Mr. Royal said but he does not want to get involved and does not want to jeopardize his job and does not want to testify.

Another person saw that he approached me and said something to me but she did not hear what he said. She saw me get frightened. She asked what happened. She saw I was scared because of the way he engaged with me. Her name is Christine (Hsien Tsai). She is a Patent Examiner as well.

10. Prior to this incident, had Mr. Royal ever told you not to touch him?

No. He had never said anything. We had never had a problem before this. There was no reason for me to use force. I was just tapping him to say hi. He is just accusing me of all these things. I never had any problems with him before. I thought we were friends. I have never had a problem in a past.

11. Did you report this to a supervisor that you thought he had threatened?

No. I did not do anything. Then he sent me two emails He was cursing at me on the emails and accusing me of taking steroids. He said he was going to force me to pay his medical bills. He complains his neck hurts after 7 days this incident; it does not make sense. Copies of the emails he sent me are attached as Exhibit "1".

12. What did you do after received emails?

I went to HR, I went to security. I reported to my SPE what happened. Since then I have never spoken to him. He has sent me these emails. I stay away from him.



13. Who did you talk to in HR?

A lady, I don't remember her name.

14. What did she tell me to do?

She told me to go to security.

15. Did you go to security?

Yes.

16. What happened with security?

They came to my office to take my statement. They said I needed to report this to my supervisor. My supervisor contacted the director. Then security came back again and got a statement from me.

17. Do you know who the security guard was?

I don't remember.

18. Other than that statement, have you given any other statements about this incident?

A police officer came by last week Wednesday I think, which would have been August 13.

19. Did he take a statement?

Yes. See the emails attached as Exhibit "2".

20. Have you been disciplined at all over this issue?

I have been told to never touch anyone again. I know I should not have touched him; it was not my intention to hurt him or harm him in any way. I have been advised by my supervisor to not touch anyone.

21. Is there anything else that I should know about this incident but have not asked you?

One of the girls he had an issue with was Violeta, and he has had issues with other examiners. He is claiming discrimination.

I have heard rumors in the office that he is crazy. They are just rumors that he has been claiming he has been discriminated against. Others have been frightened of him because of his attitude and then they notify their supervisor. He overreacts and claims he has been discriminated against. He has started accusing people of things. It was been reported to other supervisors. I

know this from the gentleman who told me this. After I reported this incident to my SPE, he had not been bothering me anymore.

22. Other than the investigator, did you discuss the contents of this testimony and/or receive any assistance from anyone in the preparation of your testimony? If yes, who?

**OATH**

I, Wei Chan, have read the above statement/affidavit and being duly informed, and understanding the penalties of perjury; duly swear under oath that the statements made in this Affidavit are true and correct, and complete, to the best of my knowledge.

\_\_\_\_\_  
Wei Yu Chan  
Wei Chan, Witness/Affiant

Dated: \_\_\_\_\_08/22/2014\_\_\_\_\_

Subscribed and sworn to me this \_\_22\_\_ day of \_\_\_\_\_August\_\_\_\_\_, 2014.



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Lisa A. Kleine, EEO investigator, or Notary Public